

03-01-07

DAC
IFW

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	Application Number	Patent#: 6,800,447
	Filing Date	Issued: October 5, 2004
	First Named Inventor	Michel Samson
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	2023C(209409)

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Request Under 37 CFR 1.28(c) to Excuse Error in Payment of Small Entity Fees Certificate of Express Mailing Authorization to charge \$750.00 to Deposit Account No. 04-1105 Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature			
Printed name	Kathleen Williams		
Date	February 27, 2007	Reg. No.	34,380



Docket No. 2023C(209409)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Michel Samson, et al.
PATENT NO.: 6,800,447
ISSUE DATE: October 5, 2004
FOR: METHODS FOR IDENTIFYING COMPOUNDS WHICH BIND THE
ACTIVE CCR5 CHEMOKINE RECEPTOR

09/939,226

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**REQUEST UNDER 37 CFR 1.28(c) TO EXCUSE ERROR
IN PAYMENT OF SMALL ENTITY FEES**

It has been discovered that small entity status was erroneously established in the above application and certain fees in connection with the above identified patent application and maintenance of the patent issued thereon (if applicable) were erroneously paid as a small entity without any deceptive intent. Upon a review of the circumstances, it is presently believed that the large entity fees should have been paid. Because it was not appreciated that small entity status was erroneously established, without any deceptive intent, no notification of change in status resulting in loss of entitlement to small entity status was filed in the Office, as required under 37 CFR 1.28(b).

In accord with the provisions of 37 CFR 1.28(c), the deficiency between the amount paid and the amount due is submitted herewith, wherein the deficiency calculated based on the fee, for other than small entity, in effect at the time the deficiency is paid in full. The fee is calculated on the attached schedule showing the fees actually paid and the present fee in effect for other than small entity.

Adjustment date: 03/02/2007 SLUANG2
07/01/2004 GWORDOF2 00000024 160085 09939226
01 FC:2501 665.00 CR

03/02/2007 SLUANG2 00000002 041105 09939226
01 FC:1501 1400.00 DA

Further, in accord with the provisions of 37 CFR 1.28(c), it is requested that the error be excused. You are hereby authorized to charge \$750.000 to Deposit Account No. 04-1105.

Date: _____

2/27/07

Respectfully submitted,

By: _____

Kathleen M. Williams

Reg. No. 34,380

EDWARDS ANGELL PALMER &
DODGE, LLP

P.O. Box 55874

Boston, MA 02205

(617) 439-4444

(109,11 54,744)
Jeffrey L. KAPLAN
R

Samson, et al.
Docket No. 2023C(209409)
U.S. Patent No.: 6,800,447

Date	Description of Fee	Fee Actually Paid	Present Large Entity Fee	Fee Due
6/28/2004	Issue Fee Payment	\$650.00	\$1,400.00	\$750.00

TOTAL FEE DUE: \$ 750.00

BOS111_12129830

Attorney Docket No.: 2023C(209409)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV971738448US in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on February 27, 2007
Date

John Audriolo

Signature

Delina Andriolo

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)
Request Under 37 CFR 1.28(c) to Excuse Error in Payment of Small
Entity Fees (3 pages)
Authorization to charge \$750.00 to Deposit Account No. 04-1105
Return Post Card